

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 08-54354

CAROLYN SERITA HALL,

Chapter 7

Debtor.

Judge Thomas J. Tucker

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**ORDER DENYING DEBTOR'S MOTION TO REOPEN BANKRUPTCY CASE**

On June 13, 2008, Debtor filed a voluntary petition for relief under Chapter 7, initiating this case. On September 23, 2008, the Court entered an order granting Debtor a discharge under 11 U.S.C. § 727. On October 6, 2008, the bankruptcy case was closed.

On January 28, 2009, Debtor filed a "Motion to Reopen Case" (Docket # 22), seeking, in relevant part, to reopen the bankruptcy case, in order to move for approval of a reaffirmation agreement between Debtor and Ford Motor Credit. (*See also* Docket ## 25, 26.) The Court must deny the motion to reopen, for the following reasons.

Under 11 U.S.C. § 524(c)(1), a reaffirmation agreement is not enforceable unless it "was made before the granting of the discharge under section 727." The Motion to Reopen Case does not indicate that the Reaffirmation Agreement between Debtor and Ford Motor Credit was made before Debtor was granted a discharge. The Reaffirmation Agreement that was filed (Docket # 25) indicates that it was signed by Debtor on January 8, 2009, several months *after* Debtor had received her discharge. Moreover, the Reaffirmation Affirmation on file was not signed by the creditor Ford Motor Credit at all, and thus, it appears that even now no reaffirmation agreement has been made between Debtor and Ford Motor Credit.

For these reasons, it appears that there neither is nor can be an enforceable reaffirmation agreement between these parties in this case. Thus, no purpose would be served by reopening

this bankruptcy case.

Accordingly,

IT IS ORDERED that Debtor's "Motion to Reopen Case" (Docket # 22), is DENIED.

**Signed on January 29, 2009**

/s/ Thomas J. Tucker

**Thomas J. Tucker**

**United States Bankruptcy Judge**